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EXAMINER

KOVALICK, VINCENT E

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 05/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,254

Applicant(s)

BROWN ET AL.

Examiner

Vincent E Kovalick

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-10, 12, 13, 20-22, 25, 26, 29, 30 and 35-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-10, 12, 13, 20-22, 25, 26, 29, 30, 35-41 and 43-54 is/are rejected.
- 7) ☒ Claim(s) 42 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1.0 This Office Action is also in response to Applicant's Amendment dated January 26, 2004 in response to USPTO Office Action dated November 5, 2003. The amendments to claims 41 and 42, the addition of new claims 43-54 have been entered in the record and Applicant's remarks have carefully been reviewed. Applicant's remarks relative to claims 2-4, 8-10, 35, 37 and 41 are rendered moot in light of the current rejection of said claims being based on new prior art.

Applicant's observation that an Office Action Summary inconsistent with the body of the Office Action was enclosed is correct, the Office Action enclosed herewith will reflect the current status of the application.

2.0 Applicant's arguments filed January 26, 2004 have been fully considered but they are not persuasive. Regarding Applicant argument that Lovell et al (USP 4,953,051) is nonanalogous art, Lovelle et al. teaches the use of a drawing tablet connected to a display device (Fig. 11) in generating and editing drawings, this function is directly relates to the features taught by Green.

In response to applicant's argument that Lovell et al is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the teaching of Lovell et al. is both in the field of endeavor and related to the functions set forth in the application claims. It needs to

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be understood, that the system in recognizing a point, recognizes that point as an *image*, and from that image then determines an image position.

In response to applicant's argument that Mizutani et al. (USP 6,590,548) does not teach "additional light source to increase contrast of the image on the surface as captured by the imaging sensor" as stated in claim 40; Mizutani et al. (col. 1, lines 65-67 and col. 2, lines 1-2) teaches improving the contrast of the displayed image by increasing the screen brightness.

Claim Rejections - 35 USC § 112

2.1 The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.2 Claim 45 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear in the method steps of claim 45 how the sub-step of "projecting a light onto the drawing tablet"; "capturing a change in the captured image" and "measuring how accurately the change follows the projected light" interrelate. The object of claim 45 needs to be more clearly defined.

Claim Rejections - 35 USC § 102

3.0 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 2-4, 20, 35 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Green (USP 4,561,017).

Relative to claims 2, Green **teaches** a graphic input apparatus (col. 1, lines 24-67 and col. 2, lines 1-9); Green further **teaches** a drawing tablet comprising a translucent surface and an imaging sensor mounted below the surface, the imaging sensor designed to capture an image on the surface even if the image is occluded from above (col. 1, lines 24-39; col. 2, lines 60-68; col. 3, lines 1-15 and Fig. 1).

Regarding claims 3 and 4, Green further **teaches** said drawing tablet further comprising transmission means designed to transmit the image captured by the imaging sensor to a computer; and transmission means includes a cable coupled to the drawing tablet and to the computer (col. 3, lines 1-15 and Fig.1).

Relative to claim 20, Green further **teaches** processing the captured image on a computer for display on a monitor (col. 3, lines 1-15).

Regarding claim 35, Green further **teaches** a drawing tablet comprising: a translucent surface; and an imaging sensor mounted below the surface, the imaging sensor designed to capture an image on the surface even if the image is occluded from above and to capture images of physical objects placed on the surface (col. 1, lines 24-39).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, 8-10, 37, 41 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green applied to claim 2 in item 4 hereinabove, and further in view of Kaufmann (USP 4,346,260).

Regarding claim 5, Green **does not teach** said drawing table wherein the transmission means comprises a wireless transmitter designed to wirelessly transmit the image to a wireless receiver coupled to a the computer; said means being in common practice in the transmission of data from a remote device to a base processing station (e.g. computer).

In that said means is in common practice and well know in the art, it would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the design as taught by Green the wireless data transmission feature in order to adapt the system for use in an environment where the use of cabling is not a practical means for communicating between the drawing tablet and the system computer.

Regarding claims 8-10, Green **does not teach** the drawing tablet comprising an erasable pen designed to draw on the surface, said drawing tablet further comprising an eraser for erasing marks produced by the erasable pen, and said drawing tablet wherein the image is hand-drawn with the erasable pen.

Green teaches a computer graphic input device which digitizes the image of an objects placed on the surface of said drawing tablet.

Kaufmann **teaches** a method and apparatus to control a drawing machine attached to a computer by means of a digitizing device (col. 1, lines 29-68; col. 2, lines 1-7 and Fig. 1); Kaufmann further **teaches** the drawing tablet further comprising an erasable pen designed to draw on the

surface, said drawing tablet further comprising an eraser for erasing marks produced by the erasable pen (col. 1, lines 49-55 and col. 3, lines 15-19), and said drawing tablet wherein the image is hand-drawn with the erasable pen (col. 1, lines 49-55 and col. 3, lines 15-19).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green the features as taught by Kaufmann in order to create an improved method, and a device to simplify the operation connected with the creation of a large scale graphics input field with high resolution (Kaufmann, col., lines 29-34).

Regarding claims 37 and 41, Kaufmann further **teaches** said drawing tablet comprising light projecting means (col. 2, lines 39-42 and Fig. 1, item 12).

Relative to claim 54, Green further teaches said drawing tablet wherein the imaging sensor is designed to capture indicia visible on the image (col. 3, lines 1-5). It being understood that the image sensor would capture all aspects (including indicia visible on the image) of the object placed on the said translucent surface of the image sensing means.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Green as applied to claim 2 in item 4 hereinabove, and further in view of Inuzuka et al. (USP 5,812,274).

Relative to claim 6, Green **does not teach** a drawing tablet further comprising software in a computer designed to adjust the image to compensate for distortion by the imaging sensor.

Green teaches a computer graphic input device which digitizes the image of an objects placed on the surface of said drawing tablet.

Inuzuka et al. **teaches** an image signal processing apparatus (col. 2, lines 13-39); Inuzuka et al. further **teaches** software in a computer designed to adjust the image to compensate for distortion by the imaging sensor (col. 1, lines 17-25).

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It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green the feature as taught by Inuzuka et al. in order to provide the means to produce an enhanced uniform image signal.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Green as applied to claim 2 in item 4 hereinabove, and further in view of Hirasawa et al. (USP 6,456,319).

Regarding claim 7, Green **does not teach** the drawing tablet further comprising software in a computer designed to adjust the image to compensate for a reversed image captured by the imaging sensor.

Green teaches a computer graphic input device which digitizes the image of an objects placed on the surface of said drawing tablet.

Hirasawa et al. **teaches** an image sensing apparatus (col. 3, lines 49-67; col. 4, lines 1-67; col. 5, lines 1-67 and col. 6, lines 1-67); Hirasawa et al. further **teaches** a signal processor to adjust the image to compensate for a reversed image captured by the imaging sensor (col. 8, lines 48-55).

Hirasawa et al. teaches image sensing apparatus having a function of reading an image form a negative mode and producing said image in a positive mode. It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green the means as taught by Hirasawa et al. in order to provide the means for converting an image from a negative mode to a positive mode for display and further processing.

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Green as applied to claim 2 in item 4 hereinabove, and further in view of Filo (USP 5,604,517).

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Regarding claim 12. Green **does not teach** a drawing tablet wherein the imaging sensor is designed to capture colors in the image on the surface.

Green teaches a computer graphic input device which digitizes the image of an objects placed on the surface of said drawing tablet.

Filo **teaches** an electronic drawing device (col. 2, lines 14-67 and col. 3, lines 1-4); Filo further **teaches** a drawing device wherein the imaging sensor is designed to capture colors in the image on the surface (col. 2, lines 38-49).

Filo teaches and electronic drawing device including a drawing instrument detector capable of detecting the color of the image being produced by a drawing instrument. It would have been obvious to a person of ordinary skill in the art at the time of the inventions to provide the device as taught by Green with the feature as taught by Filo to facilitate detection of the color being imparted by the writing instrument and the production of colored images.

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Green as applied to claim 2 in item 4 hereinabove, and further in view of Lovell et al. (USP 4,952,051).

Relative to claim 13, Green **does not teach** a drawing tablet further comprising software in a computer designed to animate at least a portion of the image.

Green teaches a computer graphic input device which digitizes the image of an objects placed on the surface of said drawing tablet.

Lovell et al. **teaches** an apparatus and method for producing animated drawings (col. 3, lines 33-67; col. 4, lines 1-67; col. 5, lines 1-67 and col. 6, lines 1-6); Lovelle et al. further **teaches** a drawing tablet comprising software in a computer designed to animate at least a portion of the image (col. 25, lines 30-68; col. 26, lines 1-23; Abstract and Fig. 11).

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Lovell et al. teaches a method and apparatus for producing animated drawings. It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide the device as taught by Green with the feature as taught by Lovell et al. in order to put in place the means of enabling the animation of portions of the image as it is presented to the drawing input surface.

11. Claims 21 is rejected as being unpatentable over Green as applied to claims 3 in item in item 4 herein above, based on the same reasoning as set forth for claim 5 in item 6, hereinabove.

12. Claims 22, 25-26, 29-30, 36 and 49-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green as applied to claim 2 in item 4 hereinabove, and further in view of Lovell et al. (USP 4,952,051)

Relative to claims 22 and 36, Green **does not teach** a method wherein processing the captured image includes animating at least a portion of the captured image.

Green teaches a computer graphic input device which digitizes the image of an objects placed on the surface of said drawing tablet.

Lovell et al. **teaches** a method and apparatus for producing animated drawings (col. 1, lines 8-45); Lovell et al further **teaches** a drawing tablet comprising software in a computer designed to animate at least a portion of the image (col. 25, lines 30-68; col. 26, lines 1-23; Abstract and Fig. 11).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green the feature as taught by Lovell et al. in order to enable animating a part or all of the images under consideration.

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Regarding claim 25, Green **does not teach** said drawing tablet wherein a method step comprises repeating at intervals the steps of capturing, transmitting and processing. It would have been obvious to a person of ordinary skill in the art at the time of the invention that the sequence of steps of repeating at intervals the steps of capturing, transmitting and processing image data is a common practice and well known in the art of processing the build up of an image for display.

Relative to claim 26, Green further **teaches** the method step comprising updating the image on the surface of the drawing tablet (col. 3, lines 16-18).

Relative to claims 29 and 30, Green **does not teach** receiving an image captured from beneath a translucent surface of a drawing tablet, modifying the received image and displaying the modified image.

Green teaches a computer graphic input device which digitizes the image of an object placed on the surface of said drawing tablet.

Lovelle et al. **teaches** transmitting a captured image to a computer and processing the captured image on the computer for display on a monitor (col. 15, lines 61-65; col. 16, lines 9-16 and Fig. 11).

Lovelle et al. teaches the means for displaying an image on a computer monitor being drawn on a drawing tablet. It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green the feature as taught by Lovelle et al. in order to provide the means to project on a monitor the image that is being generated on the drawing tablet for review or observation by others.

Regarding claims 49-53, Green further teaches said drawing tablet wherein the imaging sensor is designed to capture indicia visible on the image (col. 3, lines 1-5). It being understood that the

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image sensor would capture all aspects (including indicia visible on the image) of the object placed on the said translucent surface of the image sensing means.

13. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Green as applied to claim 37 in item 4 hereinabove, and further in view of Harris (USP 5,532,711).

Relative to claim 38, Green **does not teach** said drawing tablet wherein a light projecting means includes: a light emitting source; and mirrors designed to reflect the light; and galvanometers designed to move the mirrors to steer light emitting from the light emitting source to the surface.

Green teaches a computer graphic input device that digitizes the image of an object placed on the surface of said drawing tablet.

Harris **teaches** a lightweight display system and method of employing the same (col. 1, lines 17-67 and col. 2, lines 1-26); Harris further **teaches** a display system wherein a light projecting means includes: a light emitting source; and mirrors designed to reflect the light; and galvanometers designed to move the mirrors to steer light emitting from the light emitting source to the surface (col. 12, lines 46-57).

Harris provides the means to adapt a light projection system to a display device. It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green the features as taught by Harris in order to enable the system to generate large, illuminated, multi-colored images for processing on the said drawing tablet.

14. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Green in view of Harris as applied to claim 38 in item 13 hereinabove, and further in view of

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Quazi (USP 5,581,158).

Relative to claim 39, Green in view of Harris **does not teach** said drawing tablet wherein the light emitting source is constructed and arranged to vary its luminance.

Green taken with Harris teaches Green teaches a computer graphic input device which digitizes the image of an object placed on the surface of said drawing tablet with a galvanometer designed to move mirrors to steer light emitted from a light emitting source.

Quazi **teaches** a lamp brightness control circuit with ambient light compensation (col. 2, lines 38-67 and col. 3, lines 1-4); Quazi further **teaches** a light emitting source constructed and arranged to vary its luminance (col. 11, lines 31-37).

Green in view of Harris teaches a method and apparatus to control a drawing table attached to a computer, with the means to adapt a light projection system to a display device. Quazi teaches a circuit for controlling the brightness of a lamp to maintain a desired light level. It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Kaufmann in view of Harris the feature as taught by Quazi in order to make available the means to vary a light level to maintain a desired level of illumination.

15. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Green as applied to claim 2 in item 4 hereinabove, and further in view of Mizutani et al.(USP 6,590,548).

Regarding claim 40, Green **does not teach** an additional light source to increase contrast of the image on the surface as captured by the imaging sensor.

Green teaches Green teaches a computer graphic input device that digitizes the image of an object placed on the surface of said drawing tablet.

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Mizutani et al. **teaches** a display apparatus and an image input apparatus used for the same (col. 3, lines 32-67; col. 4, lines 1-67; col. 5, lines 1-67 and col. 6, lines 1-54); Mizutani et al. further **teaches** a light source to increase contrast of the image on the surface as captured by the imaging sensor (col. 1, lines 65-67 and col. 2, lines 1-3).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green the feature as taught by Mizutani et al. in order to enhance the viewing of a displayed image.

16. Claims 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green as applied to claims 2 and 3 in item 4 hereinabove, and further in view of Yamamoto et al. (USP 5,742,279 taken with Rehkemper et al. (USP 6,676,411).

Relative to claims 43 Green **does not teach** animating a portion of the captured image based on the contents of the captured image.

Green teaches a computer graphic input device that digitizes the image of an object placed on the surface of said drawing tablet.

Yamamoto et al. **teaches** input/display integrated information processing device (col. 2, lines 15-67; col. 3, lines 1-67 and col. 4, lines 1-61); Yamamoto et al. further **teaches** modifying the received image bases on the contents of the image or a prior image and displaying the modified image (col. 2, lines 23-61; col. 28, lines 61-64 and abstract).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green the feature as taught by Yamamoto et al. in order to provide the means extract and modify only a portion of an image based on the contents of the image.

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Green taken with Yamamoto et al. **does not teach** animating the portion of the captured image base in the contents of the captured image.

Rehkemper et al. **teaches** electronic toys that assists the user in making drawings (col. 1, lines 51-67 and col. 2k lines 1-55); Rehkemper et al further animating the portion of the captured image base in the contents of the captured image (col. 2, lines 39-46).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green taken with Yamamoto et al. al the feature as taught by Rehkemper et al. in order to provide the means to animate only a portion of a captured image displayed on a drawing tablet.

17. Claims 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Green in view of Yamamoto et al. taken with Rehkemper et al. as applied to claim 43 in item 16 hereinabove and further in view of Gierhart et al. (USP 5,730,602).

Relative to claim 44, Green in view of Yamamoto et al. taken with Rehkemper et al. **does not teach** a method where in animating a portion of the captured image includes animating the portion of the captured image based on a change in the content of the captured image.

Green in view of Yamamoto et al. taken with Rehkemper et al. teaches a computer graphic input device that digitizes the image of an object placed on the surface of said drawing tablet,

18. Claims 46 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green taken with Lowell et al. as applied to claim 29 in item 12 hereinabove, and further in view of Yamamoto et al. (USP 5,742,279).

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Relative to claims 46 and 47, Green taken with Lowell et al. **does not teach** modifying the received image bases on the contents of the image or a prior image and displaying the modified image.

Green taken with Lowell et al. teaches a computer graphic input device which digitizes the image of an objects placed on the surface of said drawing tablet and in turn can animate a portion of the image.

Yamamoto et al. **teaches** input/display integrated information processing device (col. 2, lines 15-67; col. 3, lines 1-67 and col. 4, lines 1-61); Yamamoto et al. further **teaches** modifying the received image bases on the contents of the image or a prior image and displaying the modified image (col. 2, lines 23-61; col. 28, lines 61-64 and abstract).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green taken with Lowell et al. the feature as taught by Yamamoto et al. in order to extract portions of images displayed on a drawing tablet in order to modify the said image either based on the contents of the image or on a change from a prior image.

19. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Green taken with Lowell et al. in view of Yamamoto et al. applied to claim 47 in item 18 hereinabove, and further in view of Gierhart et al.

Relative to claim 48, Green taken with Lowell et al. in view of Yamamoto et al. **does not teach** Claims 46 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green taken with Lowell et al. as applied to claim 29 in item 12 hereinabove, and further in view of Yamamoto et al. (USP 5,742,279).

a drawing table wherein modifying the image based on a change from a prior image includes animating the image based on the change.

Green taken with Lowell et al. in view of Yamamoto et al. teaches a computer graphic input device that digitizes the image of an object placed on the surface of said drawing tablet and in turn can animate a portion of the image based on the contents of the image.

including animating a portion of the captured image based on the contents of the captured image.

Gierhart et al. **teaches** a computerized method and apparatus for teaching handwriting (col. 2, lines 25-67 and col. 3, lines 1-48); Gierhart et al. further **teaches** a method where in animating a portion of the captured image includes animating the portion of the captured image based on a change in the content of the captured image col. 15, lines 57-67 and col. 16, lines 1-14).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Green taken with Lowell et al. in view of Yamamoto et al. the feature as taught by Gierhart et al. in order to provide the means to animate only that portion of a captured image based on a change in the contents of the captured image displayed on a drawing tablet.

Allowable Subject Matter

20. Claim 42 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Relative to claim 42, the major difference between the teachings of the said prior art of record (Green, USP 4,561,017; Lovell et al., USP4,952,051 and Kaufmann, USP 4,346,260) and that of the instant invention is that said prior art or record **does not teach** a method comprising

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capturing a change in the captured image; and measuring how accurately the change follows the projected light.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

U. S. Patent No.	6,448,544	Stanton et al.
U. S. Patent No.	6,337,681	Martin
U. S. Patent No.	5,548,417	Sekimoto et al.
U. S. Patent No.	4,232,358	Nichols

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

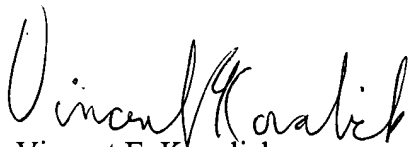
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Responses

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent E Kovalick whose telephone number is 703 306-3020. The examiner can normally be reached on Monday-Thursday 7:30- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703 305-4938. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 306-0377.


Vincent E. Kovalick
May 12, 2004


BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600